

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

KENNETH E. SAVAGE, JR.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:14-cv-02057-STA-dkv
)	
FEDERAL EXPRESS CORPORATION)	
d/b/a FEDEX EXPRESS, FEDEX)	
CORPORATION EMPLOYEES')	
PENSION PLAN; FEDEX)	
CORPORATION RETIREMENT)	
SAVINGS PLAN,)	
)	
Defendants.)	

**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE OF PLAINTIFF'S
CLAIM RELATED TO THE FEDEX CORPORATION RETIREMENT SAVINGS PLAN**

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated, upon agreement of the parties, the claim that Defendants failed to impute, calculate and contribute to the FedEx Corporation Retirement Savings Plan, which is a 401k plan, on behalf of, and for the benefit of, Plaintiff shall be and is hereby dismissed with prejudice. Plaintiff is not dismissing any other claim, including the 38 U.S.C. §§ 4311, 4318 claims related to the traditional benefit plan and portable pension account, asserted in his Amended Complaint.

IT IS SO ORDERED this _____ day of August, 2015.

HON. S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

AGREED:

s/ Joseph A. Napiltonia

Joseph A. Napiltonia (TN Bar No. 026881)
219 Third Avenue North
Franklin, Tennessee 37064
Telephone: (615) 336-6882
Facsimile: (615) 534-4141
joenapiltonia@gmail.com
ATTORNEY FOR PLAINTIFF

AGREED:

s/ Joseph B. Reafsnyder

Terrence O. Reed (TN Bar #20952)
Joseph B. Reafsnyder (TN Bar #27482)
Thomas W. Murrey, Jr. (TN Bar #11623)
3620 Hacks Cross Road - Bldg. B, 3rd Floor
Memphis, Tennessee 38125
(901) 434-8375 Phone
(901) 434-9278 Fax
terrence.reed@fedex.com
joseph.reafsnyder@fedex.com
twmurrey@fedex.com
ATTORNEYS FOR DEFENDANTS